BILLERICA HOUSING AUTHORITY

Martin E. Conway, Chair James. F. O'Donnell, Jr., Vice Chair Marie O'Rourke, Treasurer John Saulnier, Assistant Treasurer John Parker Robert M. Correnti, Executive Director

16 River Street Billerica, MA 01821 Tel.: 978-667-2175 Fax: 978-667-1156 email: bcorrenti@billericahousing.org

APPLICANT REQUIREMENTS FOR WAITING LISTS

667-2

16 River Street - FEDERAL ELDERLY/DISABLED

(NO SMOKING FACILITY) AGE: 62 years of Age or Older

If you are applying for elderly housing and you are a veteran, or spouse of a veteran, you need to submit a copy of your Veterans paper (DD214)

NON-ELDERLY HOUSING (HANDICAPPED OR DISABLED)

If you are applying for non-Elderly/Disabled Housing, you need to be handicapped or disabled and a physician needs to provide verification on the Billerica Housing Authority physician verification form.

THE FOLLOWING DOCUMENTATON MUST BE SUBMITTED ALONG WITH THE COMPLETED APPLICATION(S):

√ CHECKLIST

- Proof of residency (i.e., driver's license, utility bill, voter registration card, etc.)
- Proof of age (i.e., copy of birth certificate, baptismal certificate, census record, Passport/Green card, etc.)
- Social security card
- Proof of current income (wages, social security benefits, SSI benefits, Pension, Annuity, IRA regular payment, etc.) See attached: Sections 103 of HOTMA regarding Overincome limits for Public Housing.
- Proof of Assets (last 2 months bank statement for Checking, savings, money market, CD's, ownership interest in any real property, etc.) See attached: Sections 102 & 104 of HOTMA for Income and assets for Public Housing.
- Veterans DD214 (if you are a Veteran)
- Physician verification form (if non-elderly disabled or requesting 1st floor)



BILLERICA HOUSING AUTHORITY

16 River Street, Billerica, MA 01821 Telephone (978) 667-2175 - Fax (978) 667-1156

STANDARD APPLICATION FOR FEDERALLY SUBSIDIZED HOUSING

	•	Standard Con	troi No.
1.	Name of Applicant:		
	Current Address:		
	City/Town:		
	Mailing Address:		Apt. No
	City/Town:		į –
	Home Telephone No.:	Work Telephone N	To.;
2.	Type of Housing you are applying for: (circle one)	
	a. Elderly/Disabled b. 62, Disa	abled/or Handicapped	
3.	Do you need a wheelchair accessible uni	it? (circle one) YES	NO
4.	Is anyone in your household a person fully utilize our programs and services? If yes, who	(circle one) YES NO	
5.	Have you been involuntarily displaced fr disaster, fire, or health condemnation in	rom your residence due to a gov the last twelve months? (circle	vernment/public action, natural one) YES NO
	Are you currently homeless or in immine If YES, please describe the circumstance *(Please Note: If you answer YES to Public Housing must be completed and	es: this question, the Emergency	Application for Subsidized
6.	Are you a Veteran of the U.S. Military t spouse, dependent parent or child, or div Military that received an honorable disch	orced spouse with a dependent	harge or the spouse, surviving child of a Veteran of the U.S. NO
	Dates of Military Service: From	То	
7.	Do you or a household family member conhired to work in the Town of Billerica? (urrently work, or have they bee	en notified that they have been
NOT Biller	FE: To receive the residency preference, y rica at the time of your application.	ou will need to be a resident	or employed in the Town of

Do you speak English?	/ ' 1 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	מים ז	NIO				
Do you speak English? Language Spoken	(circle one) YE	Language I	NO Read_			,	
Number of Bedrooms r	needed: (circle one)		1		2	
List the head of househ a eligible. List name, the reth date, sex, and social security	lationship of ea	ach person to					
Jame: First, Middle, Last	Relationship	Social Security Number		Sex		Date of Birth	Occupation
	HEAD	•	M		7		
			M		7		
			M		17		
Estimate the Gross Inco twelve (12) months. S	ome anticipated pecify all source	ces.					
Estimate the Gross Inco	ome anticipated pecify all source		Nam	e aı	nd . er c	Address of of source of	all sources for the a
Estimate the Gross Inco twelve (12) months. S	Income Salaries Including C	es. Sources s, Wages, Overtime/tips or Public	Nam	e aı	nd . er c	Address of	Gross Income for
Estimate the Gross Incotwelve (12) months. S	Income Salaries Including C TAFDC Assi	e Sources s, Wages, Overtime/tips	Nam	e aı	nd . er c	Address of of source of	Gross Income for
Estimate the Gross Incotwelve (12) months. S	Income Salaries Including C Assi	Sources s, Wages, Overtime/tips or Public stance	Nam	e aı	nd . er c	Address of of source of	Gross Income for
Estimate the Gross Inco twelve (12) months. S	Income Salaries Including C TAFDC Assi: Child Supp	es. Sources Nages, Overtime/tips or Public stance ort/Alimony	Nam	e aı	nd . er c	Address of of source of	Gross Income for
Estimate the Gross Incotwelve (12) months. S	Income Salaries Including C TAFDC Assi: Child Supp Regular Un Pensions ar Disability C Regular So	Sources Sources Nages, Overtime/tips or Public stance ort/Alimony employment	Nam	e aı	nd . er c	Address of of source of	Gross Income fo
Estimate the Gross Inco twelve (12) months. S	Income Salaries Including C TAFDC Assis Child Supp Regular Un Pensions ar Disability C Regular So Benefits a	Sources Sources Nages, Dvertime/tips or Public stance ort/Alimony employment and Annuities Compensation cial Security	Nam	e aı	nd . er c	Address of of source of	Gross Income fo

13.	Were you or a member of your household, a former participant of a BHA Public Housing or rental assistance program whose participation was terminated in bad standing or who currently owes back rent, fees or costs to BHA?							
	YES NO II	f yes, plea	se explain:		· · · · · · · · · · · · · · · · · · ·			
14.	Where you or a r	member o	f your househol	d ever a participa	nt in a Federal Housing Pro	ogram?		
	YES N	O If yo	es, please explai	in:				
15.	Do you plan to have anyone live with you in the future who is not listed on this application							
	YES N	O If ye	es, please explai	n:				
16.	Do you own a ho						,	
17.	Have you sold or given away any real property or any other assets in the past two years? If yes, please provide a description and value of the disposal of asset(s).							
18.	Do you pay for a household, that is household to wor	necessar	idant or an equipy to permit the p	pment for a handi person or spouse o	capped member of your or someone else in the	YES	NO	
19.	Do you pay for M	ledicare?				YES	NO	
20.	Do you pay for ar If yes, please list				um.	YES	NO	
				· ·				
21. <u>AS</u>	<u>SETS</u>							
	sehold Member Fir	st Name	Asset Type	Asset Current Value	Name of Financial Institution	Account 1	No.	
1. 2.	<u> </u>			,				
3.								
4.						·		

5.

	(a)	Address:		from	to presen
		Name of Landlord:		Telephone	
		Address of Landlord:			,
	(b)	Address:		from	to present
		Name of Landlord:	Nu	Telephone	
		Address of Landlord:			
•	(c)	Address:		from	to present
	.ee	Name of Landlord:			
		Address of Landlord:			
23.		rences: List two people who know you we bers. They may be employers, neighbors Name	s, clergy or social wor	kersTelephone	
		Address:			
	(b)	NameAddress:		Telephone	
		City:	State	Zip code _	
24.		gency Contact: Name of a relative or fri n if we are not able to reach you or in ca		ve with you. We wi	ll contact this
	Name	»:	Relati	onship:	
	Addr	ess:	Telep	hone:	
25.		ou have any pets? (circle one) YES, please describe:	NO		

List the following information for the last five years in reverse order.

26.	Criminal Record	d:			
	Pursuant to 803 applicants and h	• • •		otain Criminal Offender Record nd older.	Information for all
	Have you or any misdemeanor in			who will live in the unit been conv	victed of a
	(circle one)	YES	NO	DON'T KNOW	•
27.	Have you or any the last ten years		our household v	who will live in the unit been conv	victed of a felony in
	(circle one)	YES	NO	DON'T KNOW	
28.	Are you or any r	nembers of you	r household reg	gistered or required to register as	a sex offender?
	(circle one)	YES	NO	DON'T KNOW	
	If you answered	yes to #26, #27	, or #28 above,	please explain:	
					·
	**				

I understand that this application is not an offer of housing. I understand that the Billerica Housing Autho will make no more than one offer of an appropriate public housing unit. If I do not accept that offer, application will be removed from the waiting list.	rity my
Based on this application, I understand that it is my responsibility to inform the Housing Authority in writton any change of address, income, or household composition. I authorize the Housing Authority to mainquiries to verify the information I have provided in this application. I certify that the information I have give	ماده

in this application is true and correct. I understand that any false statement or misrepresentation may result in the cancellation of my application. I understand that the Housing Authority will request Criminal Offender Record Information from the Department of Criminal Justice Information Services for all adult members of

I acknowledge receipt of the Fair Information Practices Act Statement of Rights for all adult members of the household.

SIGNED UNDER THE PAIN AND PENALTIES OF PERJURY.

Applicant's Certification:

the household.

Applicant's Signature:	Date:	
,		
Reviewer's Signature:	Date:	

NOTE: SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE MAKES IT A CRIMINAL OFFENCE TO MAKE WILLFUL FALSE STATEMENTS OR MISREPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHN ITS JURISDICTION.

THIS PROVISION APPLIES TO FEDEREAL HOUSING PROGRAMS

STATEMENT OF RESIDENCE

The undersig appropriate b	ted hereby states that as of this date, the following statements are true. Please check the ex:	;
	The family headed by the undersigned is presently residing in Billerica.	
	The applicant is presently working in Billerica.	
	The applicant has been notified that he/she has been hired to work in Billerica.	
If you are pre	ently residing in Billerica, please provide the following information:	
Current Addre	SS:	· .
Type of Build	ng: (Single family, two families, three family house, apartment building, etc.)	
	lid you begin residence in this apartment?	
Name of Land	ord:	
	dlord:	<u>=</u>
IF YOU ARE	PRESENTLY WITHOUT A PERMANENT ADDRESS, please list the last permanent de City and State)	
Dates of Occu	ancy: FromTo	
Name and Ado	ress of Last Landlord	
NOTE:	Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful fastatements or misrepresentation to any Department or Agency of the U.S. as to any mat within its jurisdiction.	ılse ter

List all States in which you and all the members of your household have previously resided.

House member name	Relationship	List all States you previously resided	From:	To:
	HEAD			
				,
		-		
			•	
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BILLERICA HOUSING AUTHORITY

16 RIVER STREET, BILLERICA, MA 01821 www.billericahousing.org Telephone: 978-667-2175 - Fax: 978-667-1156

IMPORTANT NOTICE

NOTICE TO APPLICANTS REGARDING RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS

NOTICE TO APPLICANTS ON THE WAITING LIST

THIS NOTICE IS FOR YOUR INFORMATION ONLY. IF YOU ARE CURRENTLY ON THE WAITING LIST AND HAVE NOT BEEN NOTIFIED FOR A UNIT OFFER, YOU DO NOT NEED TO CALL OR VISIT THE BILLERICA HOUSING AUTHORITY. YOUR ONLY RESPONSIBILITY IS TO BE SURE THAT ALL NON-CITIZENS IN YOUR FAMILY WHO WISH TO RECEIVE PUBLIC HOUSING OBTAIN ALL NECESSARY DOCUMENTS REQUIRED UNDER THIS NEW RULE. YOU MAY CONTACT THE INS AT 617-565-3879 OR GO TO THEIR OFFICE IN GOVERNMENT CENTER AT THE JOHN F. KENNEDY BUILDING, FLOOR 5, IN BOSTON, TO OBTAIN THE PROPER DOCUMENTATION.

Dear Applicant:

THE LAW: Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of Housing and Urban Development (HUD) from making financial assistance available to persons other than United States citizens, nationals and certain categories of eligible noncitizens. Section 214 was implemented by a final rule entitled, Restrictions on Assistance to Noncitizens, which was published in the Federal Register on Monday, March 20, 1995 (60FR 14816-1861).

WHEN THE RULE BECAME EFFECTIVE: The rule became effective on June 19, 1995.

WHAT THE RULE MEANS TO YOU: The Declaration Forms listed below must be signed and the documentation for all non-citizens must be provided to the Billerica Housing Authority and verified by the Immigration and Naturalization Service (INS) for you (as an applicant) to receive acceptance into Conventional Public Housing at the time you are selected from the waiting list.

WHAT EVIDENCE WILL BE REQUIRED: If you are a citizen: A signed Declaration of U.S. Citizenship – Declaration forms will be available to you from the Tenant Selector (ONLY WHEN NOTIFIED BY THE MHA OF THE OFFER OF A UNIT IN PUBLIC HOUSING.).

If you are a non-citizen who is age 62 or over: Signed Declaration of Eligible Immigration status and an original proof of age document.

If you are a non-citizen who does not fall into the category above: Signed Declaration of Eligible Immigration Status, Signed Verification Consent Form and one of the documents listed below:

- 1. Registered Alien Card (I-551 Form).
- 2. Arrival Departure Record (I-94 Form) annotated (a) "Admitted as a refugee pursuant to Section 207". (b) Section 208" or "Asylum". (c) "Section 243 (h)" or "Deportation Stayed by the Attorney General" (d) "Paroled Pursuant to Section 212. (d) (5) of the INA".
- 3. Arrival Departure Record (I-94 Form) not annotated accompanied by one of the following documents: (a) A final court decision to which no appeal was taken granting asylum. (b) A letter from an INS asylum officer granting asylum (If application filed on or after 10/1/90) or from an INS district director (If application filed before 10/1/90). (c) A court decision granting withholding or deportation. (d) A letter from an asylum officer granting withholding of deportation (If application filed on or after 10/1/90).
- 4. Temporary Resident Card (I-688 Form) which must be annotated "Section 245A" or "Section 210".
- 5. Employment Authorization Card (Employment Authorization Card 1-688B Form) which must be annotated "Provision of Law 272a.12(11)" or Provision of Law 274a.12").
- 6. Receipt Indicating Application for Issuance of Replacement Document.

WHEN THE EVIDENCE MUST BE SUBMITTED: This documentation must be presented to the Tenant Selector when you have been notified of an offer of a public housing unit.

WHEN AN EXTENSION OF TIME TO OBTAIN THE DOCUMENTS WILL BE GRANTED: You may be given additional time to bring in these documents if you certify that:

- 1. The evidence is temporarily unavailable, and
- 2. Additional time is required for it to be obtained, and
- 3. Prompt and diligent efforts will be undertaken to obtain the evidence.

To request an extension, you must fill out a form which is available from the Tenant Selector. These extensions will be in writing. If you do not have something in writing do not assume you have or will be granted additional time to bring these documents to your Tenant Selector.

PLEASE NOTE THAT THIS IS ONLY A NOTIFICATION TO INFORM YOU OF YOUR RESPONSIBILITIES AS AN APPLICANT. THE ABOVE INFORMATION IS REQUIRED ONLY WHEN YOU HAVE BEEN NOTIFIED THAT YOU HAVE REACHED THE TOP OF THE WAITING LIST AND ARE BEING OFFERED A UNIT IN PUBLIC HOUSING.

Sincerely,

BILLERICA HOUSING AUTHORITY

NOTICE TO ALL APPLICANTS:

REASONABLE ACCOMMODATIONS ARE AVAILABLE FOR APPLICANTS WITH

MENTAL AND/OR PHYSICAL DISABILITIES

The Billerica Housing Authority does not discriminate against applicants based on mental or physical disabilities. In addition, the Billerica Housing Authority has an obligation to provide "reasonable accommodation" on account of a disability if an applicant or a household member is limited by the disability and for this reason needs such an accommodation. A reasonable accommodation is a change that the Billerica Housing Authority can make to its facilities or practices that will assist an otherwise eligible person with a disability to overcome the limitations imposed by his or her disability and to be able to participate in the Billerica Housing Authority's housing or programs. Such a change must be financially and programmatically feasible for the housing authority.

An applicant household which has a member with a mental and/or physical disability must still be able to meet essential obligations of tenancy (for example, the household must be able to pay rent, to care for the apartment, to report required information to the Billerica Housing Authority, and to avoid disturbing neighbors), but an accommodation may be the basis by which the household is able to meet those obligations of tenancy.

The Billerica Housing Authority has an Accommodation Coordinator. If you need accommodation because of a disability, please complete the attached form and return it to the Billerica Housing Authority. You must also submit medical documentation verifying the existence of a disability, and the need for accommodation to overcome these limitations and to participate in the Billerica Housing Authority's housing or programs. Within thirty (30) days of receipt of your request and documentation, the Accommodation Coordinator will contact you to discuss what the Billerica Housing Authority can do to accommodate you on account of your disability.

If you or a member of your household has a mental and/or physical disability, and as a result you need accommodation, you may request it at any time. However, you are not obliged to make such a request, and if you prefer not to do so that is your right.



U.S. Department of Housing and Urban Development (HUD)

Document Package for Applicant's/Tenant's Consent to the Release Of Information

This Package contains the following documents:

- 1. HUD-9887/A Fact Sheet
- 2. Form HUD-9887 (to be signed by the Applicant or Tenant)
- 3. Form HUD-9887-A (to be signed by the Applicant or Tenant and Owner or Management Agent)
- 4. Individual Verifications (to be signed by the Applicant or Tenant)
- 5. Revocation of Consent (to be signed by the Applicant or Tenant and Owner or Management Agent)

Each household must receive a copy of the 9887/A Fact Sheet, form HUD-9887, and form HUD-9887-A.

HUD-9887/A Fact Sheet: Verification of Information Provided by Applicants and Tenants of Assisted Housing

What Verification Involves

To receive housing assistance, applicants and tenants who are at least 18 years of age and each family head, spouse, or co-head, regardless of age, must provide the owner or management agent (O/A) or public housing agency (PHA) with certain information specified by HUD.

Federal laws and regulations require that the information you provide must be verified. This information is verified in two ways:

- 1. HUD and PHAs may verify the information you provide by checking with the records kept by certain public agencies (e.g., Social Security Administration (SSA), state agencies that keep wage and unemployment compensation claim information, and the Department of Health and Human Services' (HHS) National Directory of New Hires (NDNH) database that stores wage, new hires, and unemployment compensation). HUD (only) may verify information covered in your tax returns from the U.S. Internal Revenue Service (IRS). You give your consent to the release of this information by signing form HUD-9887. Only HUD and PHAs can receive the information authorized by form HUD-9887.
- 2. The O/A must verify the information that is used to determine your eligibility and the amount of rent you pay. You give your consent to the release of this information by signing the form HUD-9887, the form HUD-9887-A, and the individual verification and consent forms that apply to you. Federal laws limit the kinds of information the O/A can receive about you. The amount of income you receive helps to determine the amount of rent you will pay. The O/A will verify all the sources of income that you report. There are certain mandatory deductions that reduce the income used in determining tenant rents. The O/A will verify your family's expenses if you are eligible to have certain expenses deducted from your annual income.

Example: Mrs. Anderson is 62 years old. Her age qualifies her for a health and medical care expenses deduction. Her annual income may be adjusted because of this deduction. Because Mrs. Anderson's health and medical care expenses will help determine the amount of rent she pays, the O/A is required to verify any medical expenses that she reports.

Example: Mr. Harris is 53 years old. Mr. Harris does not qualify for the health and medical care expenses deduction, because he is not at least 62 years of age and he is not disabled. Because he is not eligible for the deduction, the amount of his health and medical care expenses does not change the amount of rent he pays. Therefore, the O/A cannot ask Mr. Harris anything about his health and medical care expenses and cannot verify with a third party about any health and medical care expenses that Mr. Harris reports.

Consumer Protections

Information received by HUD and/or the PHA is protected by the Federal Privacy Act. Information received by the O/A or PHA is subject to State privacy laws. Employees of HUD, the PHA, and the O/A are subject to penalties for using these consent forms improperly. You do not have to sign the form HUD-9887, the form HUD-9887-A, or the individual verification consent forms when they are given to you at your certification or recertification interview. You may take them home with you to read or to discuss with a third party of your choice. The O/A will give you another date when you can return to sign these forms.

NOTE: These forms have been translated into languages other than English and those translations must be provided if needed. If you cannot read and/or sign a consent form due to a disability, the O/A shall make a reasonable accommodation in accordance with Section 504 of the Rehabilitation Act of 1973. Such accommodations may include, depending on the circumstances, the following: home visits when the applicant's or tenant's disability prevents them from coming to the office to complete the forms; the applicant or tenant authorizing another person to sign on their behalf; and for persons with visual impairments, accommodations may include providing the forms in large script or braille or providing readers.

The O/A must tell you, or a third party which you choose, of the findings made as a result of the O/A's verifications authorized by your consent. The O/A must give you the opportunity to contest such findings in accordance with HUD Handbook 4350.3 Rev. 1. However, for information received under the form HUD-9887 or form HUD-9887/A, HUD or the O/A may inform you of these findings.

O/As must keep tenant files in a location that ensures confidentiality. Any employee of the O/A who fails to keep tenant information confidential is subject

to the enforcement provisions of the State Privacy Act and is subject to enforcement actions by HUD. Any applicant or tenant affected by negligent disclosure or improper use of information may bring civil action for damages, and seek other relief, as may be appropriate, against the employee.

The O/A is required to give each household a copy of form HUD-9887/A Fact Sheet, form HUD-9887, and HUD-9887-A along with appropriate individual consent forms and the revocation of consent form. The package you will receive will include the following documents:

- HUD-9887/A Fact Sheet: Describes verification requirements and the verification process. This fact sheet also describes consumer protections under the verification process.
- Form HUD-9887: Allows the release of applicant/tenant information between government agencies.
- Form HUD-9887-A: Describes the requirement of third-party verification along with consumer protections.
- Individual Verification Forms: Used to verify the relevant information provided by applicants/tenants to determine their eligibility and level of benefits.
- Revocation of Consent: Allows the applicant/tenant to revoke their consent of the 9987 and 9887-A.

The public reporting burden for the HUD 9887 and the HUD 9887-A is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, R, 451 7th St SW, Room 8210, Washington, DC 20410-5000 or email: PaperworkReductionActOffice@hud.gov. Do not send completed forms to this address. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number

Consequences for Not Signing the Consent Forms or Revoking the Consent Forms

If you fail to sign the form HUD-9887, the form HUD-9887-A, or the Individual verification forms, this may result in your assistance being denied (for applicants) or your assistance being terminated (for tenants). See further explanation on forms HUD-9887 and 9887-A.

If you revoke your consent of form HUD-9887, form HUD-9887-A, or the individual verification forms, this may result in your assistance being denied (for applicants) or your assistance being terminated (for tenants).

If you are an applicant and denied assistance for this reason, the O/A must notify you of the reason for your rejection in writing and give you an opportunity to respond to the O/A in writing or request a meeting within 14 days to dispute the rejection. The O/A must inform you that if you are a person with disabilities, you have the right to request reasonable accommodations to participate in the informal hearing process.

If you are a tenant and your assistance is terminated for this reason, the O/A must follow the procedures set out in the lease. This includes the opportunity for you to meet with the O/A.

Programs Covered by this Fact Sheet

A. Section 8 Project-Based Rental Assistance (PBRA)

- 1. New Construction
- 2. State Housing Agencies Program
- 3. Substantial Rehabilitation
- 4. Section 202/8
- 5. Rural Housing Services Section 515/8
- 6. Loan Management Set-Aside (LMSA)
- 7. Property Disposition Set-Aside (PDSA)
- 8. Rental Assistance Demonstration (RAD)
- B. Section 202/162 Project Assistance Contract (PAC)
- C. Section 202 Project Rental Assistance Contract (PRAC)
- D. Section 202 Senior Preservation Rental Assistance (SPRAC)
- E. Section 811 Project Rental Assistance Contract (PRAC)
- F. Section 811 Project Rental Assistance (811 PRA)

Notice and Consent to the Release of Information

to the U.S. Department of Housing and Urban Development (HUD) and to an Owner and Management Agent (O/A)

U.S. Department of Housing and Urban Development

Office of Housing Federal Housing Commissioner OMB Approval No. 2502-0204 (Exp. xx/xx/xxxx)

HUD Office requesting release of information (Owner should provide the full address of the HUD Multifamily Regional Center or Satellite Office, Attention: Director, Asset Management Division.):

O/A requesting release of information (Owners should provide the full name address of the Owner or the Management Agent):

BILLERICA HOUSING AUTHORITY

16 RIVER STREET, BILLERICA MA 01821

PHA requesting release of information (Owner should provide the full name and address of the PHA and the title of the director or administrator. If there is no PHA Owner or PHA Contract Administrator for this project, mark an X through this entire box):

ROBERT M. CORRENTI, EXECUTIVE DIRECTOR

Notice To Tenant: Do not sign this form if the space above for organizations requesting release of information is left blank. You do not have to sign this form when it is given to you. You may take the form home with you to read or discuss with a third party of your choice and return to sign the consent on a date you have agreed upon with the owner or management agent (O/A).

Authority: Section 217 of the Consolidated Appropriations Act of 2004 (Pub L, 108-199), This law is found at 42 U.S.C.653(J). This law authorizes HHS to disclose to the Department of Housing and Urban Development (HUD) information in the NDNH portion of the "Location and Collection System of Records" for the purposes of verifying employment and income of individuals participating in specified programs and, after removal of personal identifiers, to conduct analyses of the employment and income reporting of these individuals. Information may be disclosed by the Secretary of HUD to a private owner, a management agent, and a Contract Administrator in the administration of rental housing assistance.

Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, as amended by section 903 of the Housing and Community Development Act of 1992 and section 3003 of the Omnibus Budget Reconciliation Act of 1993. This law is found at 42 U.S.C. 3544. This law requires you to sign a consent form authorizing: (1) HUD and the PHA to request wage and unemployment compensation claim information from the state agency responsible for keeping that information; and (2) HUD and the PHA responsible for determining eligibility to verity salary and wage information pertinent to the applicant's or participant's eligibility or level of benefits; (3) HUD to request certain tax return information from the U.S. Social Security Administration (SSA) and the U.S. Internal Revenue Service (IRS).

Section 104 of the Housing Opportunity Through Modernization Act of 2016 (Pub. L. 114-201). This law authorizes, in part, O'As to obtain any financial record from any financial institution, as the terms financial record and financial institution are defined in the Right to Financial Privacy Act (12 U.S.C. 3401), whenever the O/A determines that the record is needed to determine an applicant's or participant's eligibility for assistance or level of benefits.

Purpose: By signing this consent form, you are authorizing HUD and the above-named PHA to request income information from the government agencies listed on this form. HUD and the PHA need this information to verify your household's income to ensure that you are eligible for assisted housing benefits and that these benefits are set at the correct level. HUD may participate in computer matching programs with these sources to verify your eligibility and level of benefits. This form also authorizes HUD and the PHA to seek wage, new hire (W-4), and unemployment claim information from current or former employers to verify information obtained through computer matching.

Uses of Information to be Obtained: HUD is required to protect the income information it obtains in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. The O/A and the PHA is also required to protect the income information it obtains in accordance with any applicable State privacy law. After receiving the information covered by this notice of consent, HUD, the O/A and/or the PHA may inform you that your eligibility for, or level of, assistance is uncertain and needs to be verified and nothing else.

HUD, O/A, and PHA employees may be subject to penalties for unauthorized disclosures or improper uses of the income Information that is obtained based on the consent form.

Who Must Sign the Consent Form: Each member of your household who is at least 18 years of age, and each family head, spouse or co-head, regardless of age, must sign the relevant consent forms. After an applicant or participant has signed and submitted a consent form to the O/A on or after January 1, 2024, they do not need to sign and submit subsequent consent forms except under the following circumstances:

- When any person 18 years or older becomes a member of the family;
- When a member of the family turns 18 years of age; and As required by HUD or the O/A in administrative instructions.
- 3.

Persons who apply for or receive assistance under the following programs are required to sign this consent form:

- A. Section 8 Project-Based Rental Assistance (PBRA)
- 1. New Construction
- 2. State Housing Agencies Program
- 3. Substantial Rehabilitation
- 4. Section 202/8
- 5. Rural Housing Services Section 515/8
- 6. Loan Management Set-Aside (LMSA)
- 7. Property Disposition Set-Aside (PDSA)
- 8. Rental Assistance Demonstration (RAD)
- B. Section 202/162 Project Assistance Contract (PAC)
- C. Section 202 Project Rental Assistance Contract (PRAC)
- D. Section 202 Senior Preservation Rental Assistance (SPRAC)
- E. Section 811 Project Rental Assistance Contract (PRAC)
- F. Section 811 Project Rental Assistance Demonstration (811 PRA)

Failure to Sign Consent Form: Your failure to sign the consent form may result in the denial of assistance or termination of assistance benefits. If you are an applicant and denied assistance for this reason, the O/A must notify you of the reason for your rejection in writing and give you an opportunity to respond to the O/A in writing or request a meeting within 14 days to dispute the rejection. The O/A must inform you that if you are a person with disabilities, you have the right to request reasonable accommodations to participate in the informal hearing process. If a tenant is denied assistance for this reason, the O/A must follow the procedures set out in the lease.

Expiration: The authorization to release the information requested by the consent form will remain effective until the earliest of:

- The rendering of a final adverse decision for an assistance applicant;
- 2. The cessation of a participant's eligibility for assistance from HUD and the O/A; or
- 3. The express revocation by the assistance applicant or recipient (or applicable family member) of the authorization, in a written notification to HUD.

Consent: I consent to allow HUD, the O/A, or the PHA to request and obtain income information from the Federal and state agencies listed on the back of this form for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs.

Signatures:		Additional Signatures, if needed	Additional Signatures, if needed:			
Head of Household	Date	Other Family Members 18 and Over	Date			
Spouse	Date	Other Family Members 18 and Over	Date			
Co-Head of Household	Date	Other Family Members 18 and Over	Date			

Agencies To Provide Information

State Wage Information Collection Agencies (HUD and PHA). This consent is limited to wages and unemployment compensation you have received during period(s) when you have received assisted housing benefits.

U.S. Social Security Administration (HUD only). This consent is limited to: Social 1041-K1 Beneficiary's Share of Income, Credits, Deductions, etc. Security number verification, death indicator (when applicable). Title II (Federal Old Age, Survivors, and Disability Insurance Benefits (OASDI)), Title XVI (Supplemental Security Income (SSI) for the Aged, Blind, and Disabled), and Title VIII (Special Benefits for Certain World War II Veterans (SVB) benefit information.

National Directory of New Hires contained in the Department of Health and Human Services' system of records. This consent is limited to wages and unemployment compensation you have received during period(s) when you have received assisted housing benefits.

U.S. Internal Revenue Service (HUD only). This consent is limited to the following information that may appear on your tax return:

1099-S Statement for Recipients of Proceeds from Real Estate Transactions

1099-B Statement for Recipients of Proceeds from Real Estate Brokers and **Barters Exchange Transactions**

1099-G Statement for Recipients of Certain Government Payments

1099-DIV Statement for Recipients of Dividends and Distributions

1099-INT Statement for Recipients of Interest Income

1099-MISC Statement for Recipients of Miscellaneous Income

1099-OID Statement for Recipients of Original Issue Discount

1099-PATR Statement for Recipients of Taxable Distributions Received from Cooperatives

1099-R Statement for Recipients of Retirement Plans

W2-G Statement of Gambling Winnings

1065-K1 Partners Share of Income, Credits, Deductions, etc.

1120S-K1 Shareholder's Share of Undistributed Taxable Income, Credits, Deductions, etc.

Information may also be obtained directly from: (a) current and former employers concerning salary and wages and (b) financial institutions as defined in the Right to Financial Privacy Act (12 U.S.C. 3401), whenever the O/A determines the record is needed to determine an applicant or participant's eligibility for assistance or level of benefits.

I understand that income information obtained from these sources will be used to verify information that I provide in determining initial or continued eligibility for assisted housing programs and the level of benefits.

No action can be taken to terminate, deny, suspend, or reduce the assistance your household receives based on information obtained about you under this consent until the HUD office, Office of Inspector General (OIG) and the O/A have independently verified: 1) the amount of the income, wages, or unemployment compensation involved, 2) whether you actually have (or had) 1099-A Information Return for Acquisition or Abandonment of Secured Property access to such income, wages, or benefits for your own use, and 3) the period or periods when, or with respect to which you actually received such income. wages, or benefits. A photocopy of the signed consent may be used to request a third party to verify any information received under this consent (e.g., employer).

> HUD or the O/A shall inform you, or a third party which you designate, of the findings made on the basis of information verified under this consent and shall give you an opportunity to contest such findings in accordance with Handbook 4350.3 Rev. 1.

If a member of the household who is required to sign the consent form is unable to sign the form on time due to extenuating circumstances, the O/A may document the file as to the reason for the delay and the specific plans to obtain the proper signature as soon as possible.

Privacy Notice: Authority: The Department of Housing and Urban Development (HUD) is authorized to collect this information by the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437 et. seg.); the Housing and Urban-Rural Recovery Act of 1983 (P.L. 98-181); the Housing and Community Development Technical Amendments of 1984 (P.L. 98-479); and by the Housing and Community Development Act of 1987 (42 U.S.C. 3543). Principal Purpose: The Department of Housing and Urban Development (HUD) has developed this form to facilitate the verification and consent of release for an applicant's eligibility, recommended unit size, and the amount tenant(s) must pay towards rent and utilities. Applicants must provide the names of all tenants who are at least 18 years old, as well as the names of each family head, spouse, or co-head, regardless of age. Disclosure: HUD may disclose this information to federal, state, and local agencies when it is relevant to civil, criminal, or regulatory investigations and prosecutions. HUD, the owner, the management agent (OA), or the public housing agency (PHA) may use computer matching to verify the information you provide. You must provide all the requested information in this form. Failure to provide any of the information may result in the delay of assistance or termination of assistance benefits.

Penalties for Misusing this Consent: HUD, the PHA, the O/A, and any Contract Administrator (or any employee of HUD, the PHA, the O/A, or the Contract Administrator) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on the form HUD-9887 is restricted to the purposes cited on the form HUD-9887. Any person who knowingly or willfully requests, obtains, or discloses any information under false pretenses concerning an applicant or tenant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or tenant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the PHA, the O/A or the Contract Administrator responsible for the unauthorized disclosure or improper use.

Applicant's/Tenant's Consent to the Release of Information

Verification of Information Provided by Applicants

U.S. Department of Housing and Urban Development

OMB Approval No. 2502-0204 (Exp. xx/xx/xxxx)

Office of Housing Federal Housing Commissioner

Instructions to Owners

- 1. Give the documents listed below to the applicants/tenants to sign. Staple or clip them together in one package in the order listed.
 - a. The HUD-9887/A Fact Sheet.

and Tenants of Assisted Housing

- b. Form HUD-9887.
- c. Form HUD-9887-A.
- d. Individual Verification Forms (upon applicant/tenant request)
- 2. Verbally inform applicants and tenants that:
 - a. They may take these forms home with them to read or to discuss with a third party of their choice and to return to sign them on a date they have worked out with you, and
 - If they have a disability that prevents them from reading and/ or signing any consent, that you, the Owner, are required to provide reasonable accommodations.
- 3. O/As are required to give each household a copy of the HUD9887/A Fact Sheet, form HUD-9887, and form HUD-9887-A after obtaining the required applicants/tenants signature(s). Owners must also give applicants/tenants a copy of the signed individual verification forms upon their request.

Instructions to Applicants and Tenants

This form HUD-9887-A contains consumer information and protections concerning the HUD-required verifications that Owners must perform.

- Read this material which explains:
 - HUD's requirements concerning the release of information, and
 - Other consumer protections.
- 2 Sign on the consent forms:
 - you have read this form, or
 - the Owner or a third party of your choice has explained it to you,
 - you consent to the release of information for the purposes and uses described.

Authority for Requiring Applicant's/Tenant's Consent to the Release of Information and for O/As to Verify Information Provide by the Applicant/Tenant

Section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, as amended by section 903 of the Housing and Community Development Act of 1992 and section 3003 of the Omnibus Budget Reconciliation Act of 1993. This law is found at 42 U.S.C. 3544. In part, this law requires you to sign a consent form authorizing the Owner to request current or previous employers to verify salary and wage information pertinent to your eligibility or level of benefits.

HUD's regulations in 24 CFR part 5, subpart B require that as a condition of admission to or continued occupancy, applicants and participants must sign a HUD-approved release and consent form (including any release and consent as required under 24 CFR 5.230) authorizing any depository or private source of Income, or any Federal, state or local agency, to furnish or release to the owner or HUD such information as the owner or HUD determines to be necessary. This includes information that you have provided which will affect the amount of rent you pay. The information includes income and assets, such as salary, benefit payments, and income received from assets. They also include certain adjustments to your income, such as the allowances for dependents and for households whose heads or spouses are elderly or disabled, and allowances for child care expenses. health and medical care expenses, and reasonable attendant care and auxiliary apparatus expenses.

In addition, HUD's regulations (24 CFR 5.659, Family Information and Verification) require as a condition of receiving housing assistance that you must sign a HUD-approved release and consent authorizing any depository

or private source of income to furnish such information that is necessary in determining your eligibility or level of benefits.

Failure to Sign the Consent Form

Failure to sign any required consent form may result in the denial of assistance or termination of assisted housing benefits. If you are an applicant and denied assistance for this reason, the O/A must notify you of the reason for your rejection in writing and give you an opportunity to respond to the O/A in writing or request a meeting within 14 days to dispute the rejection. The O/A must inform you that if you are a person with disabilities, you have the right to request reasonable accommodations to participate in the informal hearing process. If a tenant is denied assistance for this reason, the O/A must follow the procedures set out in the lease.

Conditions

No action can be taken to terminate, deny, suspend or reduce the assistance your family receives based on information obtained about you under this consent until the O/A has independently 1) verified the information you have provided with respect to your eligibility and level of benefits and 2) with respect to income (including both earned and unearned income), the O/A has verified whether you actually have (or had) access to such income for your own use, and verified the period or periods when, or with respect to which you actually received such income, wages, or benefits.

A photocopy of the signed consent may be used to request the information authorized by your signature on the individual consent forms. This would occur if the O/A does not have another individual verification consent with an original signature and the O/A is required to send out another request for verification (for example, the third party fails to respond). If this happens, the O/A may attach a photocopy of this consent to a photocopy of the individual verification form that you sign. To avoid the use of photocopies, the O/A and the individual may agree to sign more than one consent for each type of verification that is needed.

The O/A must provide you with information obtained under this consent in accordance with State privacy laws.

The O/A may use these individual consent forms during the 120 days preceding the certification period. The O/A may also use these forms during the certification period, but only in cases where the certification is delayed, or the O/A receives information indicating that the information you have provided may be incorrect. Other uses are prohibited.

I have read and understand this information on the purposes and uses of information that is verified and consent to the release of information for these purposes and uses.

Name of Applicant or Tenant (Print)
Signature of Applicant or Tenant & Date
I have read and understand the purpose of this consent and its uses, and I understand that misuse of this consent can lead to personal penalties to me.
BILLERICA HOUSING AUTHORITY
Name of Project Owner or Owner's representative
ROBERT M. CORRENTI, EXECUTIVE DIRECTOR
Title
Signature & Date
cc: Applicant/Tenant; Owner file

Applicant's/Tenant's Revocation of Consent to the Release of Information

U.S. Department of Housing and Urban Development

OMB Approval No. 2502-0204 (Exp. xx/xx/xxxx)

Office of Housing Federal Housing Commissioner

Revocation of Consent: I hereby revoke my consent to allow HUD, the PHA, or the O/A to use information from the Federal and state agencies listed on the back of this form or to request or obtain information from any other third party for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs. I understand that revoking my consent may result in termination of assisted housing benefits.

If you are an applicant and denied assistance for this reason, the O/A must notify you of the reason for your rejection in writing and give you an opportunity to respond to the owner in writing or request a meeting within 14 days to dispute the rejection. The O/A must inform you that if you are a person with disabilities, you have the right to request reasonable accommodations to participate in the informal hearing process. If a tenant is denied assistance for this reason, the O/A must follow the procedures set out in the lease.

Signatures:		Additional Signatures, if needed:				
Head of Household	Date	Other Family Member 18 and Over	Date			
Spouse	Date	Other Family Member 18 and Over	Date *			
Co-Head of Household	Date	Other Family Member 18 and Over	Date			

Penalties for Misusing this Consent

I/We, the undersigned, certify under penalty of perjury that the information provided above is true, correct, and accurate.. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Instructions to Owners/Agents

You must provide a copy of the signed revocation to the applicant/tenant and retain the original in the tenant file. You must immediately notify the local HUD office of the applicant/tenant's revocation of consent. After consent is revoked, you must not use EIV data to verify income or request information from third parties for the purpose of verifying the applicant/tenant's eligibility and level of benefits under HUD's assisted housing programs.



HOTMA Sections 102 and 104: Income and Assets Fact Sheet

This sheet provides an overview of the changes related to income reviews and asset limitations from the implementation of HOTMA Sections 102 and 104.

Income Definitions — 24 CFR 5.609 (a): Income is now defined broadly with an expanded and clarified list of income exclusions. Annual income includes all amounts received from all sources by each adult family member 18 years or older or the head of household or their spouse, plus unearned income by or on behalf of each dependent under 18 years, plus income from assets.

- Income Exclusions 24 CFR 5.609(b): See the <u>Income and Exclusions Resource Sheet</u> for the list of all excluded amounts.
- Student Financial Assistance 24 CFR 5.609(b)(9): See the <u>Student Financial Assistance Resource</u>
 <u>Sheet</u> for information on deductions, exclusions, and calculating exclusions.

Income from Assets — 24 CFR 5.609(a): In general, income from assets is considered income. If it is possible to calculate actual returns from an asset, the PHA should use that amount. If it is not possible to calculate an actual return on an asset, the PHA must impute income from assets based on the current passbook savings rate as determined by HUD when the family has net assets over \$50,000 (adjusted annually by CPI-W). See the **Asset Resource Sheet** for the list of all excluded amounts.

Calculation of Income — 24 CFR 5.609(c): For initial occupancy/assistance and interim reexaminations, the PHA must estimate the family income for the upcoming 12-month period using current income. For all annual reexaminations, the PHA must determine the family income for the previous 12-months **unless** using a streamlined income determination, taking into account any redetermination from an interim reexamination and any unaccounted for income changes.

Interim Income Reexaminations — 24 CFR 960.257(b), 982.516(c), and 882.515(b): A family may request an interim reexamination because of family income or composition changes since the last examination. An interim reexamination should be conducted when a family's adjusted income decreases by 10% or more (or lower threshold per HUD or PHA policy). An interim reexamination should also be conducted when a family's adjusted income increases by 10% or more; however, the PHA may not consider any increase in the earned income of the family when estimating or calculating whether the family's adjusted income has increased, unless the family has previously received an interim reduction during the certification period. See the Interim Reexaminations Fact Sheet.



This material is based upon work supported, in whole or in part, by Federal award number NAL-C-17-094-05 awarded to NALCAB by the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. Neither the United States Government, nor any of its employees, makes any warranty, express or implied, or assumes any legal itability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately-owned rights. Reference herein to any individuals, agencies, companies, products, process, services by trade name, trademark, manufacturer, or otherwise does not constitute or imply an endorsement, recommendation, or favoring by the author(s), contributor(s), the U.S. Government or any agency thereof, Opinions contained herein are those of the author(s) and do not necessarily reflect the official position of, or a position that is endorsed by, HUD or any Federal agency.

HOTMA Sections 102 and 104: Income and Assets Fact Sheet

Safe Harbor: Income Determinations from Other Programs — 24 CFR 5.609(c)(3): The PHA may determine a family's pre-deduction income based on income determinations made by other means-tested federal public assistance programs within the previous 12-months. PHAs are not required to use this method.

Eliminates the Earned Income Disregard: Only families already participating in EID on the effective date of the final rule may continue receiving the benefits up to 2 years from that date. Families receiving the Jobs Plus Earned Income Disregard pursuant to the FY2022 NOFO or earlier may continue to receive the EID under the terms of the NOFO.

Mandatory Deductions — 24 CFR 5.611 (a)(1)-(a)(2): Changes the mandatory deduction amounts to \$480 per dependent and \$525 per elderly and disabled family. These amounts are 2024 figures, adjusted annually for inflation and rounded to the next lowest multiple of \$25.

Health and Medical Expense Deduction—24 CFR 5.611(a)(3): Increases the threshold for the deduction of unreimbursed health and medical care expenses plus unreimbursed reasonable attendant care and auxiliary apparatus expenses that enable employment to 10% of annual income.

Permissive Deductions – 24 CFR 5.611(b): A PHA may adopt, through written policies, additional deductions from annual income. PHAs will not be eligible for additional HUD funding based on application of these deductions.

Hardship Exemptions to the Health and Medical Expenses Deduction — 24 CFR 5.611(c)(1)-(c)(2): There are two categories of hardship exemptions to the new 10% threshold for unreimbursed health and medical expenses: a phase-in for families already receiving a deduction for expenses over 3% of their income and a general hardship exemption.

Exemption to Continue the Child Care Expense Deduction—24 CFR 5.611(d): A family whose eligibility for the child care expense deduction is ending may request a financial hardship exemption to continue the deduction.

Limitation on Assets — 25 CFR 5.618(a): The new rule restricts families from receiving public housing or Section 8 benefits if their net family assets exceed \$100,000 (as adjusted annually) or if the family owns real property deemed suitable for the family to live in.

Exclusion from Assets — 24 CFR 5.603(b)(3): There are new exclusions from assets, including related to necessary items of personal property, non-necessary items of personal property when the total value does not exceed \$50,000 (as adjusted), and real property that the family does not have the legal authority to sell.

See the <u>Assets, Asset Exclusions, and Limitation on Assets Resource Sheet</u> for a complete list and more information on exclusions and real property.

Additional Resources on HOTMA Sections 102/104

• HUD Exchange: HOTMA Income and Assets Training Series



Section 103: Over-Income Limits for Public Housing Families Fact Sheet

Section 103 creates new limitations on program participation for families residing in public housing that remain over-income (OI) for 24 consecutive months. After a 24 month grace period, PHA policy may allow OI families to continue to live in a public housing unit paying an alternative rent. If the PHA does not adopt such a policy, the PHA must terminate tenancy of the OI family within six months of the final notification.

The new rules are implemented through two new sections in the public housing regulations: <u>24 CFR 960.507</u>

Families exceeding the income limit, and <u>24 CFR 960.509</u> Lease requirements for non-public housing over-income families. Related definitions can be found in 24 CFR 960.102(b).

The provisions implementing section 103 will be effective March 16, 2023. All PHAs must fully implement OI policies no later than June 14, 2023. There are no exceptions to the income limitation on public housing program participation.

Over-income (OI) limit: set by multiplying the very low-income level for the applicable area by a factor of 2.4, a limit equal to approximately 120% of the AMI. OI procedures are triggered by **annual or interim reexaminations**. During the reexamination, if the family is determined to be OI, the OI notification process begins.

Over-income (OI) family: families whose income exceeds the OI limit, including families during the grace period or before program termination or execution of a non-public housing over-income lease. These families retain all of their rights and obligations as public housing program participants.

Non-public housing over-income (NPHOI) family: a family whose income exceeds the OI limit for 24 consecutive months and remains in the unit paying the alternative non-public housing rent.

These families must have signed an NPHOI lease and are no longer public housing program participants. NPHOI families may not participate in public housing resident councils or programs for low-income or public housing participants. NPHOI families cannot receive a utility allowance from the PHA, be subject to income reexaminations, or be required to comply with Community Service and Self-Sufficiency Requirements.

Atternative Non-Public Housing Rent: A remaining NPHOI family must be charged a monthly rent equal to the higher of: the applicable fair market rent (24 CFR 888(A)), or the amount of the monthly subsidy provided for the unit (HUD will publish annually).



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Section 103: Over-Income Limits for Public Housing Families Fact Sheet

Falling below OI limit: If the PHA determines (in an interim or regular reexamination) that a family's income has fallen below the OI limit at any time during the 24-month grace period the family will remain public housing program participants and return to regular income reexamination periods. If the family becomes OI again, the PHA begins a new 24-month grace period.

Notices: PHAs must give OI families 3 notices, each within 30 days of the income examination that determines the family is, or remains, OI: at the initial determination of OI status, following the reexamination at the conclusion of the 1st 12 months of the grace period, and at the conclusion of the 24 month grace period.

All notices must be provided in writing and state what actions will be taken as required under the PHA's OI policy in the Admissions and Continued Occupancy Policy (ACOP). If applicable, the notice must include the alternative rent amount. All notices must provide information on the family's right to a grievance hearing.

Policies: PHAs must have a continued occupancy policy detailed in its ACOP to either:

- Require OI families to execute a new NPHOI lease within 60 days of notification and charge the family the alternative non-public housing rent, or
- Terminate the tenancy of the family no more than 6 months after the notification.

PHAs may choose to adopt a waitlist preference for NPHOI families who again become income-eligible for readmission to the public housing program. These families would then reapply. OI families who have vacated public housing are not eligible for this preference.

Reporting: The PHA must submit a report annually that specifies:

- The number of OI families residing in a PHA's public housing as of the end of the calendar year. This report will be pulled by HUD via the form HUD-50058.
- The number of families on the waiting lists for admission to public housing. This information will be submitted through the Operating Fund Web Portal beginning January 1, 2024.

Related Resources:

- Supplemental Guidance for Implementation of Section 103; Limitation on Public Housing
 Tenancy for Over-Income Families under the Housing Opportunity Through Modernization

 Act of 2016 (HOTMA)
 - » See Appendix for directions on calculating the OI limit.
- Implementation of Section 103: Over-Income Limits for Public Housing Families recorded training, presentation, and transcript
- Sample NPHOI lease
- Sample Ol Notices